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Counsel for Defendant ALAGUNA-CASTANEDA
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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA
10

11 UNITED STATES OF AMERICA,)	No. CR-10-0757 JSW
)	
12 Plaintiff,)	MOTION TO WITHDRAW, REQUEST
)	FOR APPOINTMENT OF CJA
13 vs.)	COUNSEL, AND PROPOSED ORDER
)	
14 JAIME ALAGUNA-CASTANEDA,)	Court: Hon. Jeffrey S. White
)	Date: April 21, 2011
15 Defendant.)	Time: 2:00 PM
)	

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17 The above-captioned case is currently on calendar for a change of plea for April 21, 2011.
18 A legal conflict of interest has arisen such that the Federal Public Defender's Office can no
19 longer represent Mr. Alaguna-Castaneda. Details regarding the conflict are set forth in a
20 concurrently-filed declaration of counsel that is being filed *ex parte* under seal. Because of the
21 nature of the conflict, neither the declaration nor any of its contents should under any
22 circumstances be divulged to the government or to any other person.

23 The magistrate judge found Mr. Alaguna-Castaneda eligible for appointed counsel based
24 on his financial circumstances when this case began. Mr. Alaguna-Castaneda has been
25 incarcerated throughout the duration of this case and is no more able to afford counsel now than
26 he was when the case began. Undersigned counsel has contacted the administrator of the CJA

1 Panel, who is aware of the conflict and is in the process of finding panel counsel who will be able
2 to accept an appointment on this case. To safeguard Mr. Alaguna-Castaneda's interests and to
3 minimize the disruption that the change in counsel will cause, the Federal Public Defender's
4 Office respectfully requests that this Court authorize the appointment of CJA counsel forthwith.

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6 Dated: April 6, 2011

7 Respectfully submitted,

8 BARRY J. PORTMAN
9 Federal Public Defender

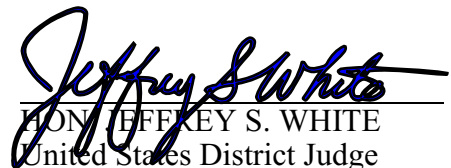
10 /s/
11 LOREN D. STEWART
12 Assistant Federal Public Defender
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14 **~~PROPOSED~~ ORDER**

15 For good cause shown, the Federal Public Defender's Office is relieved as counsel in this
16 case. The Court authorizes the appointment of counsel from the Criminal Justice Act Panel.

17 **IT IS SO ORDERED.**

18
19
20 April 7, 2011
21 DATE


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HON. JEFFREY S. WHITE
United States District Judge